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Min Dang and Xiyou Xu*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

MINMETALS, INC.,

Plaintiff,
vs.

DRAGON BOOM, LTD., a British Virgin Islands limited company; B&H AMERICAN, INC., a New Jersey Corporation; UNITED RESOURCES USA, INC., a New Jersey Corporation; GARY INTERNATIONAL HOLDINGS, LTD., a Hong Kong limited company; HANGZHOU BAOHANG INDUSTRIAL INVESTMENT GROUP, LTD., a People's Republic of China limited company; DANG MIN (a.k.a. MIN DANG), an individual; LI ZHENG, an individual; XIYOU XU (a.k.a. GRACE XU), an individual; ABC CORPORATIONS 1-10, and JOHN DOES 1-10,

Defendants.

Case No.: 13-cv-3834 (KSH)(CLW)

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ORDER OR OPINION TO SEAL

THIS MATTER having been opened to the Court by way of Defendants B&H American, Inc. (“B&H”), Gary International Holdings, Inc. (“Gary”), Hangzhou Baohang Industrial Investment Group, Ltd. (“Hangzhou”), Min Dang (“Dang”) and Xiyou Xu (“Xu”) (collectively, the “Baohang Defendants”) Motion, pursuant to Local Civil Rule 5.3, to seal the following documents:

- The Baohang Defendants’ Memorandum of Law in Opposition to Plaintiff’s Motion for Sanctions;
- The Declaration of Min Dang in support of the Baohang Defendants’ Opposition to Plaintiff’s Motion for Sanctions;
- The Certification of James Schmitz, Esq. in support of the Baohang Defendants’ Opposition to Plaintiff’s Motion for Sanctions;
- The Declaration of William H. Devaney, Esq. in support of the Baohang Defendants’ Opposition to Plaintiff’s Motion for Sanctions; and
- Exhibits 1 to 17 to the Declaration of William H. Devaney, Esq. in support of the Baohang Defendants’ Opposition to Plaintiff’s Motion for Sanctions.

Having considered the papers submitted on behalf of the parties and good cause having been shown, the Court finds that the instant Motion to Seal is submitted in accordance with the terms of the Discovery Confidentiality Order entered by this Court on August 4, 2014. [ECF No. 83]. The Court further finds

that the documents the Baohang Defendants seek to seal contain sensitive information produced by the Plaintiff and Defendants that have been designated confidential under the Discovery Confidentiality Order. Specifically, the information the Baohang Defendants seek to seal contains commercially sensitive information about the parties' trade secrets, competitively sensitive technical, marketing, financial, sales or other confidential business information and private or confidential personal information. The Court also finds that the legitimate confidential interests of the parties outweigh any public interest in the materials at issue and that a clearly defined and serious injury would result if the motion to seal were denied. Finally, the Court finds that the contents of the Memorandum of Law and accompanying declarations and exhibits are such that a less restrictive alternative to the relief sought is not available. Accordingly,

IT IS on this 16th day of October, 2015:

ORDERED that the documents listed above, which contain commercially sensitive information about Plaintiff's and Defendants' business, having been designated by the parties as confidential in accordance with the Discovery Confidentiality Order entered by this Court on August 4, 2014, are to be filed under seal.



Hon. Cathy L. Waldor, U.S.M.J.